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11 IN THE UNITED STATES DISTRICT COURT FOR THE  
12 DISTRICT OF NEVADA  
13

14 JOSEPH G. O'BRIEN,

15 Plaintiff,

16 v.

17 UNITED STATES OF AMERICA,

18 Defendant.

Case No. 2:07-cv-00986-GMN-GWF

19 UNITED STATES OF AMERICA  
20 Counterclaim Plaintiff,

21 v.

22 JOSEPH G. O'BRIEN, MICHAEL V. VILLAMOR,  
23 DAN K. SHAW, and JAMES R. VANWOERKOM,

24 Counterclaim Defendants.

[PROPOSED] JUDGMENT

25 Before the Court is a Joint Stipulation for Entry of Judgment in favor of the United States and  
26 against Dan K. Shaw on the United States' Counterclaim. Upon review of the Stipulation and the record  
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1 in this case, this Court GRANTS judgment against Dan K. Shaw in favor of the United States on its  
2 Counterclaim (Docket # 17) to reduce to judgment trust fund recovery penalty assessments arising from  
3 the nonpayment of income and FICA taxes withheld from wages paid to employees of VSS Enterprises,  
4 LLC, for the third and fourth quarters of 2002 and the first and second quarters of 2003 in the amount of  
5 \$3,270,000.00 plus interest thereon from the date of entry of this judgment as provided by 28 U.S.C. §  
6 1961(c) and 26 U.S.C. §§ 6621 and 6622.

7 Dan K. Shaw's Counterclaim (Docket # 37) shall be dismissed with prejudice.

8 The United States and Dan K. Shaw shall bear its or his respective fees and costs, including any


9 **IT IS SO ORDERED** this 29th day of July, 2011

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13 Gloria M. Navarro  
14 United States District Judge  
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16 Presented by:

17 DANIEL G. BOGDEN  
18 United States Attorney

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